

**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

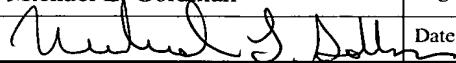
Application Number	09/902,845
Filing Date	July 11, 2001
First Named Inventor	James P. Beck
Group Art Unit	1625
Examiner Name	B.M. Robinson
Attorney Docket Number	20011/1381

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233-Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**
  - a.  Previously submitted
    - i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_ (Any unentered amendment(s) referred to above will be entered).
    - ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
    - iii.  Other \_\_\_\_\_
  - b.  Enclosed
    - i.  Amendment
    - ii.  PTO-1449 Form, listing 213 references
    - iii.  Second Supplemental Information Disclosure Statement (IDS)
    - iv.  213 references
    - v.  Communication Pursuant to Article 96(2) EPC
2. **Miscellaneous**
  - a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)
  - b.  Other \_\_\_\_\_
3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
  - a.  The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayments, to Deposit Account No. 14-1138
    - i.  RCE fee required under 37 C.F.R. § 1.17(e)
    - ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
    - iii.  Other \_\_\_\_\_
  - b.  Check in the amount of \$770.00 is enclosed
  - c.  Payment by credit card (Form PTO-2038 enclosed)

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Michael L. Goldman	Registration No. (Attorney/Agent)	30,727
Signature	 February 2, 2004		

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to: Mail Stop \_\_\_\_\_, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on \_\_\_\_\_

Signature:	
Name:	

SEND TO: Mail Stop RCE  
Commissioner for Patents

02/05/2004 SSANDARA 00000001 09902845 P.O. Box 1450  
01 FC:1801 770.00 0P Alexandria, VA 22313-1450

# FEE TRANSMITTAL FOR FY 2003

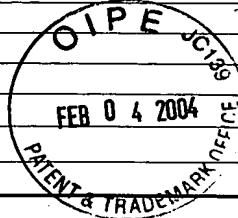
Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$770)

Complete if Known

Application Number	09/902,845
Filing Date	July 11, 2001
First Named Inventor	James P. Beck
Examiner Name	B.M. Robinson
Art Unit	1625
Attorney Docket No.	20011/1381



## METHOD OF PAYMENT (check all that apply)

Check  Credit Card  Money Order  Other  None

Deposit Account:

Deposit Account Number 14-1138

Deposit Account Name Nixon Peabody LLP

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s)  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$ 0)

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims	Fee from below	Fee Paid
Total Claims	32	-40** =	0 X 18 =	0
Independent Claims	1	-3** =	0 X 86 =	0
Multiple Dependent			X 290 =	0

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202	18	2202 9 Claims in excess of 20
1201	86	2201 43 Independent claims in excess of 3
1203	290	2203 145 Multiple dependent claim, if not paid
1204	86	2204 43 ** Reissue independent claims over original patent
1205	18	2205 9 ** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Fee (\$)	Small Entity Fee Code (\$)	Fee (\$)	Fee Description
1051	130	2051	65	Surcharge - late filing fee or oath
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130	Non-English specification
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action
1251	110	2251	55	Extension for reply within first month
1252	420	2252	210	Extension for reply within second month
1253	950	2253	475	Extension for reply within third month
1254	1,480	2254	740	Extension for reply within fourth month
1255	2,010	2255	1,005	Extension for reply within fifth month
1401	330	2401	165	Notice of Appeal
1402	330	2402	165	Filing a brief in support of an appeal
1403	290	2403	145	Request for oral hearing
1451	1,510	1451	1,510	Petition to institute a public use proceeding
1452	110	2452	55	Petition to revive - unavoidable
1453	1,330	2453	665	Petition to revive - unintentional
1501	1,330	2501	665	Utility issue fee (or reissue)
1502	480	2502	240	Design issue fee
1503	640	2503	320	Plant issue fee
1460	130	1460	130	Petitions to the Commissioner
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)
1806	180	1806	180	Submission of Information Disclosure Stmt
8021	40	8021	40	Recording each patent assignment per property (times number of properties)
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a)).
1810	770	2810	385	For each additional invention to be examined (37 CFR 1.129(b))
1801	770	2801	385	Request for Continued Examination (RCE)
1802	900	1802	900	Request for expedited examination of a design application
Other fee (specify) _____				

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$770)

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop \_\_\_\_\_, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) \_\_\_\_\_.

Date \_\_\_\_\_

Signature \_\_\_\_\_

Typed or printed name \_\_\_\_\_

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Michael L. Goldman	Registration No. (Attorney/Agent)	30,727	Telephone	(585) 263-1304
Signature			Date	February 2, 2004	

SEND TO: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450



**NIXON PEABODY LLP**  
ATTORNEYS AT LAW

RCF/1625  
*[Handwritten signature]*

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February 3, 2004

**VIA FEDERAL EXPRESS**

Mike Surles  
Patent Imaging Corporation  
2001 Jefferson Davis Highway  
Crystal Plaza One, Suite 600  
Arlington, VA 22202

Re: Request for Continued Examination Application ("RCE") of U.S. Serial No. 09/902,845, filed July 11, 2001 for NOVEL 4-PHENYL SUBSTITUTED TETRAHYDROISOQUINOLINES THERAPEUTIC USE THEREOF  
Inventors: Beck et al.  
Nixon Peabody Reference No.: 20011/1381

Dear Mike:

This is further to our conversation today with David Soules. We are forwarding you (via Federal Express) four boxes containing a Request for Continued Examination ("RCE") and accompanying documents for hand-delivery to the U.S. Patent and Trademark Office on February 4, 2004.

The boxes contain the following:

Box 1: Request for Continued Examination (RCE) Transmittal (in duplicate); Fee Transmittal (in duplicate); Second Supplemental Information Disclosure Statement; PTO-1449 Form (citing 213 references) (in duplicate); Communication Pursuant to Article 96(2) EPC; a \$770.00 check payable to the Commissioner for Patents; a self-addressed, prepaid postcard for acknowledging receipt; and References 1-50.

Box 2: References 51-80.

Box 3: References 81-120.

Box 4: References 121-213.

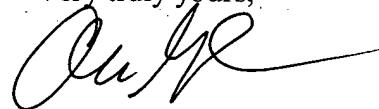
R746289.1

NIXON PEABODY LLP

Mike Surles  
February 3, 2004  
Page 2

Please have someone from your office call me or my assistant, Jo Ann Whalen (585-263-1513), to confirm delivery. Thank you for your assistance in this matter.

Very truly yours,



Andrew K. Gonsalves

Enclosures